

Bureau of Waste Management
Curtis State Office Building
1000 SW Jackson, Suite 320
Topeka, KS 66612-1366



phone: 785-296-1600
fax: 785-296-1592
email: bwmweb@kdheks.gov
www.kdheks.gov/waste

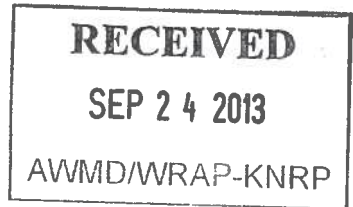
Robert Moser, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

September 23, 2013

Brenda B. Epperson
Environmental Manager
MRP Properties Company, LLC
P.O. Box 696000
San Antonio, TX 78269-6000



**RE: Comments on the Interim Measures Operation and Maintenance Report
MRP Properties Company, LLC
1400 South M Street, Arkansas City, Kansas
RCRA ID# KSD087418695**

Dear Ms. Epperson,

The Kansas Department of Health and Environment (KDHE) and the Environmental Protection Agency (EPA) Region 7 reviewed a May 29, 2013 letter responding to KDHE and EPA comments on the Interim Measures Operation and Maintenance (IMOM) Plan submitted by MWH Americas, Inc. on behalf of MRP Properties Company, LLC (MRP). The submittal of an IMOM Plan is required under Section III.D.5. of the Part II Permit and shall describe interim measures being used to prevent any releases of hazardous constituents above the groundwater protection standards, included in Attachment B of the Part I Permit, to the Walnut River. These interim measures shall include all areas not addressed by Section IV of the Part I Permit and must include containment of the dissolved phase hydrocarbons as well as containment and recovery of the free product plume. EPA has not yet reviewed the Interim Measures Corrective Action cost estimate that was submitted by MRP with the plan. We anticipate that any comments from EPA will be provided at a later date and would need to be addressed separately.

KDHE has the following comments:

General Comment

Contamination of the Walnut River is a primary concern at this site because groundwater beneath the site flows towards the river which is immediately downgradient of the facility boundaries. An appropriately designed interim measures system must ensure that the Walnut River is protected from degradation due to groundwater contamination. Although the main objective of the current interim measures is the recovery of light non-aqueous phase liquid (LNAPL) in the northern and northeastern areas of the facility, MRP states in their response that groundwater migration to the Walnut River is being controlled through groundwater extraction associated with LNAPL recovery from the Interim Measure recovery wells combined with pumping of the groundwater recovery wells associated with corrective action in the Waste Management Area. A better measure of the effectiveness of the current interim measures will be determined through observations and analytical analyses from a network of groundwater monitoring wells being developed for the northern and northeastern areas of the facility that will monitor both free product and dissolved phase constituents. Depending on the conclusions and determinations made, additional investigative and/or interim measure activities may be warranted.

RCRA



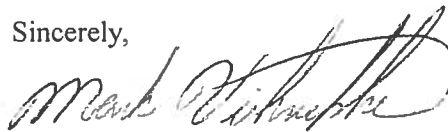
526366

Specific Comments

1. The List of Figures in the Table of Contents does not list Figures 12 and 13, referenced in Section 6.0, which contain schedules for corrective action activities. Please revise the Table of Contents to include Figures 12 and 13.
2. The second paragraph of Section 1.4 on Page 1-3 states that the offsite migration of groundwater is controlled by the groundwater corrective action recovery wells operated under the Part I permit. MRP's response to Comment #2 contains a discussion stating that groundwater containment along the Walnut River boundary is a result of both the Interim Measure recovery wells and the Waste Management Area groundwater recovery wells. MRP also presents a 3D illustration of groundwater potentiometric surface streamline and capture analyses for 2012 and 2013 which depicts the impact of the Interim Measure recovery wells on groundwater containment. KDHE agrees with MRP that the operation of the interim measure recovery wells does have an effect on migration/containment of both LNAPL and dissolved phase groundwater contamination. Please revise Section 1.4 correspondingly to discuss the impact of the interim measures system on groundwater containment.
3. MRP agreed, in a September 6th telephone conference, to submit revised corrective action project schedules on an on-going basis as part of the Quarterly Progress Reports which are required in condition III.R. of the Part II permit. KDHE requested that the revised schedules be presented graphically in the form of a milestone chart (e.g., Gantt chart) to show the duration and interdependencies of the various activities to best illustrate the comprehensive project schedule on a quarterly basis. Please revise Section 5.7 to identify these schedules as information to be included in the Quarterly Corrective Action Progress reports.
4. MRP needs to revise Section 5.7 to include a discussion of data management and record keeping. The discussion should make reference to the current Quality Assurance Project Plan and Section II.E.9. of the Part II permit.
5. The last sentence in Section 6.0 states that the schedules in Figure 12 and 13 may be modified during the course of the project. Please revise this sentence to state that the schedule for interim measures presented in Figures 12 and 13 will be included in the Quarterly Action Progress report and revised as needed.

Please respond to these comments by October 21, 2013 and submit revised pages as necessary. If you have any questions, please contact me by phone at (785)-291-3760 or e-mail me at (mvishnefske@kdheks.gov).

Sincerely,



Mark Vishnefske, P.G.
Environmental Scientist III
Hazardous Waste Permits Section
Corrective Action & Geology Unit

cc: Jay Mednick – MWH
Brad Roberts – EPA Region VII - AWMD/WRAP
Allison Herring – DEA/SCDO/Waste Programs
Bill Bider – BWM